

CITY OF ISSAQUAH

MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

Description of Proposal: Subdivide a 6.2 acre site into 19 lots for construction of single family residences. Lot sizes range between 4,661 and 6,549 square feet (SF). The proposal includes a .46 acre stormwater/utility tract (Tract A) and a 2.4 acre wetland/open space tract (Tract B). There are currently 2 single family residences on the site which would be removed for the proposed development.

There is a 1.76 acre Category 2 wetland on the south portion of the site. This wetland extends off site and is approximately 4 acres in total area. The proposal is to reduce the 75-foot wetland buffer by 25% (to 56.25 feet) with planting enhancement of the reduced buffer and enhancement in part of the wetland area.

Access to the proposed lots is from a new public street off SE 48th Street.

Proponent:	Darren Ludwigsen Summit Homes of Washington LLC 16000 Christensen Road, Suite 303 Tukwila, WA. 98188	Don Proctor Mead & Hunt 1180 NW Maple St, Suite 105 Issaquah, WA. 98027
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Permit Number: PP14-00003 – Jazz Run Preliminary Plat

Location of Proposal: 23023, 23121, 23131 SE 48th Street

West of 236th Ave SE and Issaquah Pine Lake Road, east of 227th Ave SE, south of SE 48th St and City of Sammamish, north of SE 52nd St and the Overdale Park neighborhood

Lead Agency: City of Issaquah

Determination: The lead agency has determined this proposal would not have a probable significant adverse impact on the environment. An environmental impact statement is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

Comment/Appeal Period: This Mitigated Determination of Nonsignificance is issued under WAC 197-11-340(2) and 197-11-680(3)(a)vii, and is based on the proposal being conditioned as indicated below. There is a 21-day combined comment/appeal period for this determination, between **March 18, 2015 and April 8, 2015**. Anyone wishing to comment may submit written comments to the Responsible Official. The Responsible Official will reconsider the determination based on timely comments. Any person aggrieved by this determination may appeal by filing a Notice of Appeal with the City of Issaquah Permit Center. Appellants should prepare specific factual objections. Copies of the environmental determination and other project application materials are available from the Issaquah Development Services Department, 1775 12th Avenue NW.

Appeals of this SEPA determination must be consolidated with appeal of the underlying permit, per IMC 18.04.250.

Notes:

1. This threshold determination is based on review of the Project Narrative received December 31, 2014; Preliminary Plat Plans including Existing Conditions, Subdivision Layout, Road and Grading Plan, Road Profile Details, Storm Drainage Plan, SE 48th St Improvement Plan, Wastewater Collection Plan, Water Distribution Plan and Tree Preservation Plan received December 31, 2014;

Geotechnical Engineering Study (GEO Group Northwest, Inc.) dated December 31, 2014; Stormwater Management Report (Mead & Hunt) dated December 31, 2014; Wetland Report and Wetland Mitigation Plan (Altmann Oliver Associates) dated December 31, 2014; environmental checklist received December 31, 2014; and other documents in the file.

- 2) Issuance of this threshold determination does not constitute approval of the preliminary plat. The proposal will be reviewed for compliance with all applicable City of Issaquah codes, which regulate development activities, including the Land Use Code, Critical Area Regulations, Building Codes, Clearing and Grading Ordinance, and Surface Water Design Manual.

Findings:

1. Land Use: The site is zoned Single-Family Small Lot (SF-SL), which allows a maximum density of 7.26 dwelling units/acre and requires a minimum lot size of 6,000 SF. Environmental critical areas (wetland/wetland buffers, steep slopes, stream buffers) cannot be developed and receive only partial density credit which may then be transferred to the developable area of the site. The code allows reducing the zoning standard minimum lot size to accommodate the transfer of density from critical areas to developable areas on a site (IMC 18.10.450), provided the maximum zoning density is not exceeded. The intent of this code provision is to provide incentives for preservation of critical areas, flexibility in design, and to achieve residential density consistent with the Comprehensive Plan. The proposal meets the density requirement of the SF-SL zoning; the 19 lots on the 6.2 acre site would equal a gross density of 3.0 dwelling units per acre. Sixteen (16) of the nineteen (19) lots would be less than 6,000 SF minimum lot size of the zone, with 15 of these lots ranging in size from 5,959 SF to 4,992 SF.

The reduced lot sizes are consistent with recently approved adjacent subdivisions. The Issaquah 22 (Rivenwood) plat and the McBride plat were both approved with reduced lot sizes to accommodate the transfer of density from their on-site critical areas. To address compatibility with surrounding land uses, the code allows for only detached single family residences and the residential structures must meet the zoning building setbacks and impervious surface limits on all the lots.

2. Wetlands: A Wetland Report (Altmann Oliver Associates, dated December 31, 2014) was prepared to determine the presence of jurisdictional wetlands and to provide the wetland rating in order to determine wetland buffer requirements. There is a 1.76 acre Category 2 wetland on the south portion of the site, which requires a 75-foot buffer. This wetland extends off site and is approximately 4 acres in total area. The proposal is to reduce the 75-foot wetland buffer by 25% (to 56.25 feet) with planting enhancement of the reduced buffer. The proposed buffer reduction is consistent with the City's Critical Areas Regulations (IMC 18.10.650.D). There is a soft-surface pedestrian trail proposed within the wetland buffer (1,563 SF), and the plans include an additional buffer area (1,823 SF) to compensate for the trail impact.

Vegetation within the on-site wetland is presently dominated by monotypic reed canary grass (a non-native invasive species) with patches of cattails. The applicant proposes to enhance approximately 42,500 SF of the on-site wetland with planting approximately 1,500 willow (*Salix* sp.) cuttings within the reed canary grass portion of the wetland. The proposed enhancement would increase the structural diversity of vegetation and improve habitat functions over current conditions. Enhancement within the wetland would address the indirect impacts of the development; restoring the wetland area to more natural scrub-shrub and forested conditions and establishing native vegetation communities that would improve the wetland functions over the long term.

The wetland and wetland buffer area are included in Tract B (2.40 acres). Tract B shall be preserved as a critical area/open space tract, protecting vegetation and precluding development in perpetuity. This shall be noted on the Final Plat.

3. Tree Retention: The Land Use Code requires retaining 30% of the total caliper of significant trees outside of critical areas and buffers. The proposal appears to meet the required tree retention. Existing trees are proposed to be retained in Tract B outside of the wetland buffer area, and along the west property boundary on the back of Lots 1-5. The proposed tree retention meets the priorities stated in the code; retaining existing trees adjacent to critical areas/buffers, and retaining groupings of trees to form a continuous canopy.

Trees are preserved along the west property boundary, on the back of Lots 1-5. Trees retained on this part of the site would screen the proposed subdivision from the adjacent property. These retained trees may be impacted by clearing and grading for construction of residences on Lots 1-5. To provide adequate tree protection may require adjusting clearing/grading limits on these lots.

Approved tree protection measures must be in place prior to any construction or demolition activities and installed in conjunction with limits of clearing and grading delineation. Clearing and grading shall be outside the critical root zone of significant trees. After rough clearing and grading, trees along the edge or boundary of residential lots shall be evaluated for hazard trees. If removal of hazard trees is necessary, the applicant shall plant replacement trees consistent with the City's landscape code for replacement trees, IMC18.12.1390.

4. Traffic: Traffic impacts of the proposal are evaluated through traffic concurrency review. There are 19 lots proposed and removal of 2 existing single-family residences. The 17 new residential lots would generate a total of 17 new PM peak hour trips, based on a trip generation rate (1.01 PM trips/new SFR lot) from the ITE Manual. The traffic generated from the proposed subdivision would not result in significant adverse impacts on the local street system.

A new traffic signal has been installed at the intersection of SE 48th St and Issaquah Pine Lake Road, by the developer of the Issaquah 22 (Rivenwood) subdivision to mitigate for traffic impacts. Traffic impacts of the proposed subdivision would also be mitigated by this traffic signal. The developer of Issaquah 22 has a "latecomer's agreement" for the traffic signal, managed by the City of Sammamish, to be reimbursed by development accessing off SE 48th St which benefits from the signal improvement. The applicant shall pay a pro-rata share of the signal cost. This is consistent with the Transportation Concurrency Management code, IMC 18.15.

The subdivision would be accessed from a new public street off SE 48th Street. SE 48th St right-of-way is within City of Sammamish jurisdiction and street frontage improvements are required to meet City of Sammamish standards. A City of Sammamish right-of-way permit will be required for all street frontage work on SE 48th St and would address haul routes, traffic control plan and channelization. The new access road will also need to meet City standards for sight distance on SE 48th St.

5. Public Services - The proposal would have a potential impact on public services, including police and general government buildings. IMC Chapter 18.18, Methods to Mitigate Development Impacts, provides alternatives to mitigate for direct impacts of proposed development. The City may approve a voluntary payment in lieu of other mitigation. Rate studies for police facilities and general government buildings are included in IMC 18.10.260 as the City's SEPA policy base. The rate studies present the methodology and formulas for determining the amount of the mitigation fee commensurate with the proposed land use and project impacts. The current mitigation fee is \$145.39 per new single family residence for the General Government Buildings mitigation fee and \$186.10 per new single family residence for the Police mitigation fee. The mitigation fee is paid at the time of building permit issuance and the actual fee amount is determined at that time. Applicant objections to the voluntary payment should be made during the SEPA comment period.

Mitigation Measures: The Mitigated Determination of Nonsignificance is based on the checklist received December 31, 2014 and supplemental information in the application. The following SEPA mitigation measures shall be deemed conditions of the approval of the licensing decision pursuant to Chapter 18.10 of the Issaquah Land Use Code. All conditions are based on policies adopted by reference in the Land Use Code.

1. Final wetland/wetland buffer enhancement plans are required for approval by the Issaquah Development Services Department (DSD) prior to issuing construction permits. Final plans shall include a planting plan and a 5-year monitoring/maintenance plan with performance standards for monitoring success of the enhancement planting. The plans shall meet standards of the King County Critical Areas Mitigation Guidelines for the planting density and monitoring performance standards.
2. The wetland and wetland buffer area are included in Tract B (2.40 acres). Tract B shall be preserved as a critical area/open space tract, protecting vegetation and precluding development in perpetuity. This shall be noted on the Final Plat.
3. Trees are shown to be preserved along the west property boundary, on the back of Lots 1-5. These retained trees could be impacted by clearing and grading for construction of residences on Lots 1-5. Clearing and grading shall be outside the critical root zone of preserved trees. To provide adequate tree protection may require adjusting clearing/grading limits on these lots.
4. Approved tree protection measures must be in place prior to any construction or demolition activities and installed in conjunction with limits of clearing and grading delineation. Clearing and grading shall be outside the critical root zone of significant trees.
5. After rough clearing and grading, trees retained along the edge of clearing limits shall be evaluated for hazard trees. If removal of hazard trees is necessary, the applicant shall plant replacement trees consistent with the City's landscape code for replacement trees, IMC18.12.1390.
6. Traffic impacts of the proposed subdivision would be mitigated by a new traffic signal installed at the intersection of SE 48th St and Issaquah Pine Lake Road. The developer of the Issaquah 22 subdivision has a 'latecomer's agreement' for the traffic signal, managed by the City of Sammamish. The applicant shall pay their pro-rata share of the signal cost.
7. A City of Sammamish right-of-way permit will be required for all street frontage work on SE 4^{8th} St. and would address haul routes, traffic control plan and channelization. The new access road will also need to meet City standards for sight distance on SE 48th St.
8. The applicant should mitigate for potential impacts on public services with a voluntary contribution for the General Government Buildings and Police Mitigation Fees. Applicant objections to the voluntary payment should be made during the SEPA comment period. The mitigation fee is to be paid prior to issuance of building permits and the actual fee amount is determined at that time.

Responsible SEPA Official: Peter Rosen

Position/Title: Senior Environmental Planner

Address/Phone: P.O. Box 1307, Issaquah, WA 98027-1307 (425) 837-3094

Date: 3/18/2015

Signature: 

cc: Washington State Department of Ecology
Muckleshoot Indian Tribe
U.S. Army Corps of Engineers
Washington State Department of Fish and Wildlife
City of Sammamish
Issaquah Development Services Department
Issaquah Parks and Public Works Engineering Departments
Parties of Record

